

REMARKS

In the Office Action, the Examiner rejected claims 1-23 under 35 USC §103. These objections and rejections are fully traversed below. The claims have been amended to correct minor informalities and to further clarify the subject matter regarded as the invention. Claims 1-16 and 19-21 and 24-26 remain pending.

Reconsideration of the application is respectfully requested based on the following remarks.

REJECTION OF CLAIMS UNDER 35 USC §103

In the Office Action, the Examiner rejected claims 1-7, 9-13, 15-16 and 24-26 under 35 USC §103 as being unpatentable over Mao et al, U.S. Patent No. 5,459,427, ('Mao' hereinafter) in view of Zigmond et al, U.S. Patent No. 6,400,407 ('Zigmond' hereinafter). This rejection is fully traversed below.

Applicant respectfully submits that the claims, as amended, further clarify the subject matter regarded as the invention. As set forth in the Summary of Applicant's specification, various embodiments of the invention enable data (e.g., multicast IP data transmitted in broadcast streams) to be selected and received. More particularly, a network interface card has an associated IP address. However, typically, a digital television receiver cannot identify a network interface card. Rather, a digital television receiver generally communicates solely with one or more associated tuners. Thus, through the association of an IP address with each data stream (e.g., claim 1), a single system may be used to read and display data associated with a network card as well as a tuner.

It is also important to note that, as set forth in pages 9-10 of Applicant's specification, it would be desirable if data streams received by a television receiver could include IP formatted data. However, since multiple sources of data may be using the same multicast group address, it is necessary to distinguish the data streams from one another. None of the cited references, separately or in combination, discloses or suggests the need to distinguish

multiple sources of data that may be using the same multicast group address, nor do they suggest a solution to this problem.

Mao fails to disclose or suggest the problems solved by the claimed invention. Moreover, Mao neither discloses nor suggests a solution to these problems through the assignment of an IP address to each multicast IP data stream. Moreover, while Zigmond discloses a method for embedding a URL within a television stream, Zigmond fails to disclose or suggest reading or identifying a multicast IP data stream in the manner claimed. Applicant therefore respectfully submits that the combination of the cited references would fail to achieve the desired result and would therefore be inoperable for the intended purpose.

The invention of claim 1 is directed to a method in which an IP address is mapped to a locator identifying a multicast IP data stream associated with a television channel. Thus, a tuner reads a multicast IP data stream identified by an IP address when the IP address corresponds to a data stream locator. A network interface card identified by an IP address reads data from a network when the IP address does not correspond to a data stream locator.

As set forth in the Summary of Applicant's specification, various embodiments of the invention enable data (e.g., multicast IP data transmitted in broadcast streams) to be selected and received. More particularly, a network interface card has an associated IP address. However, typically, a digital television receiver cannot identify a network interface card. Rather, a digital television receiver generally communicates solely with one or more associated tuners. Thus, as set forth in claim 1, for example, through the association of an IP address with each data stream, a single system may be used to read and display data associated with a network card as well as a tuner.

Mao fails to disclose the invention of claim 1. While Zigmond discloses a method for embedding a URL within a television stream, Zigmond fails to disclose or suggest reading or identifying a multicast IP data stream in the manner claimed. As such, Applicant respectfully submits that Zigmond fails to cure the deficiencies of the primary reference. Accordingly, Applicant respectfully submits that the combination of the cited references would fail to achieve the desired result and would therefore be inoperable for the intended purpose. Applicant therefore respectfully submits that claim 1 is patentable over the cited art.

As recited in claim 10, an interface map is used to map a data stream locator to an IP address. By providing a data stream locator to an interface map, the map returns an associated IP address. In addition, the digital television receiver supports two different sets of IP addresses, the first set identifying one or more multicast IP data streams and the second set identifying one or more network interface cards. The combination of the cited references would fail to achieve the desired result (e.g., identify and use two different sets of IP addresses in the manner claimed) and would therefore be inoperable for the intended purpose. Accordingly, Applicant respectfully submits that claim 10 is patentable over the cited references.

With respect to claim 11, the cited references, separately or in combination, fail to disclose a method in which a digital television receiver can read data by a tuner as well as a network interface card. Specifically, the cited references fail to disclose or suggest determining whether an IP address corresponds to a data stream locator. Moreover, the cited references fail to disclose or suggest reading a multicast IP data stream associated with the data stream locator when the IP address corresponds to a data stream locator, and reading data from a network by a network interface card identified by the IP address when the IP address does not correspond to a data stream locator. Accordingly, Applicant respectfully submits that claim 11 is patentable over the cited references.

With respect to dependent claim 2, the Examiner further states that it would have been obvious to modify Mao with DHCP-based IP assignment in order to simplify the delegation and management of a large number of private IP addresses in a private IP network. In addition, the Examiner has taken Official Notice that it is well known in the art to generate and assign private IP addresses in a private IP network.

While the generation and assignment of IP addresses is well known in the art, Applicant respectfully submits that the allocation and assignment of IP addresses in the manner claimed (e.g., to identify multicast IP data streams) is neither disclosed nor suggested by the prior art. Thus, the taking of Official Notice with respect to the allocation and assignment of IP addresses is respectfully traversed.

In addition, while DHCP-based IP assignment may be used to simplify the delegation and management of a large number of private IP addresses in a private IP network, the combination of DHCP-based IP assignment with Mao would fail to achieve the desired result (e.g., to enable a single system to read and display data associated with a network card

as well as a tuner). Moreover, although DHCP-based IP assignment may be used to delegate and manage a large number of IP addresses in a private network (e.g., for users accessing the network), the presently claimed invention does not use the assigned IP addresses for this conventional purpose (e.g., to be assigned to a user accessing the private IP network). Rather, the IP addresses are used to identify data streams or network interface cards, rather than users. Thus, the cited art teaches away from using private IP addresses in the manner claimed. Accordingly, Applicant respectfully submits that claims 2, 9, and 15-16 are patentable over the cited art.

In the Office Action, the Examiner rejected claims 8 and 14 under 35 USC §103(a) as being unpatentable over Mao and Zigmond, and further in view of Thrift, U.S. Patent No. 6,510,557, ('Thrift' hereinafter). This rejection is fully traversed below.

While Thrift discloses the use of multiple tuners and decoders to provide picture-in-picture display, Thrift fails to cure the deficiencies of the primary references. Accordingly, Applicant respectfully submits that claims 8 and 14 are allowable over the cited art.

In the Office Action, the Examiner rejected claims 19-21 under 35 USC §103(a) as being unpatentable over Mao in view of Perlman, U.S. Patent No. 6,580,722 ('Perlman' hereinafter). This rejection is fully traversed below.

Perlman discloses the use of a multicast group. However, Perlman fails to cure the deficiencies of the primary reference. Specifically, the combination of the cited references fails to disclose or suggest "instructing a tuner to read the multicast IP data stream associated with the data stream locator and to receive packets in the multicast IP data stream that are addressed to the multicast group address." Accordingly, Applicant respectfully submits that claims 19-21 are patentable over the cited art.

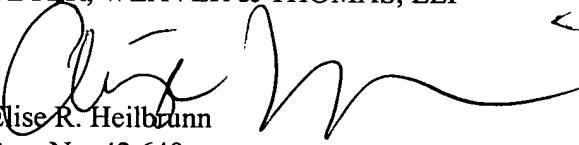
The dependent claims depend from one of the independent claims and are therefore patentable for at least the same reasons. However, the dependent claims recite additional limitations that further distinguish them from the cited references. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above discussed limitations are clearly sufficient to distinguish the claimed invention from the cited references. Thus, it is respectfully requested that the Examiner withdraw the rejection of the claims under 35 USC §103(a).

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388 (Order No. SUN1P505).

Respectfully submitted,

BEYER, WEAVER & THOMAS, LLP


Elise R. Heilbrunn
Reg. No. 42,649

BEYER, WEAVER & THOMAS, LLP
P.O. Box 778
Berkeley, California 94704
Tel. (510) 843-6200